



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making

Agency: Environmental and Land Use Hearings Office (ELUHO) including the Pollution Control Hearings Board (PCHB), Shorelines Hearings Board (SHB) and Growth Management Hearing Board (GMHB)

☒ Preproposal Statement of Inquiry was filed as WSR 11-11-074

☐ Expedited Rule Making--Proposed notice was filed as WSR _____; or

☐ Proposal is exempt under RCW 34.05.310(4).

☒ Original Notice

☐ Supplemental Notice to WSR _____

☐ Continuance of WSR _____

Title of rule and other identifying information: ELUHO, the successor agency resulting from the administrative consolidation of Environmental Hearings Office (EHO) and the Growth Management Hearing Board (GMHB), is required by RCW 42.56.040 to have public records rules for the agency. These rules are proposed for adoption as WAC Ch. 198-14.

Hearing location(s):

ELUHO, 1111 Israel Rd. SW, Tumwater, WA 98501

Date: Dec. 7, 2011 Time: 2:00 p.m.

Date of intended adoption: January 10, 2012

(Note: This is **NOT** the effective date)

Submit written comments to:

Name: Kay Brown

Address: PO Box 40903, Tumwater, WA 98501

e-mail Kayb@ELUHO.Wa.Gov.

fax (360) 586-2253 by **December 6, 2011**

Assistance for persons with disabilities: Contact

Robyn Bryant by phone at 360-664-9166

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The proposed new chapter, WAC 198-14, will provide public records rules for the ELUHO agency as required by Ch. 42.56.040. The changes are necessary to reflect the legislatively driven administrative consolidation of the EHO and GMHB into the ELUHO, and the Legislative direction that all agencies adopt public records procedures.

Statutory authority for adoption: RCW 42.56.040; RCW 43.21B.005, RCW 43.21B.090, RCW 36.70A.270(7)

Statute being implemented: RCW 42.56.040; RCW 43.21B.005

Is rule necessary because of a:

Federal Law?

☐ Yes ☒ No

Federal Court Decision?

☐ Yes ☒ No

State Court Decision?

☐ Yes ☒ No

If yes, CITATION:

DATE

November 1, 2011

NAME (type or print)

Kathleen D. Mix

SIGNATURE

Kathleen D. Mix

TITLE Agency Director

Environmental and Land Use Hearings Office

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: November 01, 2011

TIME: 3:39 PM

WSR 11-22-091

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: ELUHO

☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Kay Brown	ELUHO	(360) 664-9160
Implementation.... Kathleen Mix	ELUHO	(360) 664-9160
Enforcement..... Kathleen Mix	ELUHO	(360) 664-9160

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

X No statement is required for adoption of rules described in RCW 34.05.310(4). These proposed rules and rule amendments meet the requirements of 34.05.310(4)(b) and (e).

Is a cost-benefit analysis required under RCW 34.05.328?

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

X These rules and rule amendments are exempt from the requirement under RCW 34.05.328 based on RCW 34.05.328 (5)(b)(ii),(iv), (v).